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May 10, 2005

## VIA FEDERAL EXPRESS

Robert A. Magnanini, Esq.  
BOIES, SCHILLER & FLEXNER, LLP  
150 John F. Kennedy Parkway  
Short Hills NJ 07078

Re: Walsh Securities v. Cristo Property Management, LTD, et al.  
CV97-3496 (WGB)

Dear Mr. Magnanini:

On behalf of defendant Weichert, Realtors ("Weichert"), and pursuant to Local Civil Rule 7.1(b) (Optional Motion Procedure - Appendix N) enclosed please find the following:

1. Notice of Motion to Dismiss the Complaint for Failure to State a Claim;
2. Memorandum of Law in Support of the Motion;
3. The Supporting Declaration of John B. McCusker with Exhibits A-J,
4. Proposed order; and
5. Certificate of Service.

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Oral argument is requested. Additionally, I have today electronically filed a copy of this letter, without enclosures, with the court.

Very truly yours,



John B. McCusker

Enclosure

cc: All Parties (w/ enclosures)